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June 19, 2007

VIA ELECTRONIC FILING/HAND DELIVERY

The Hon. Sue L. Robinson
United States District Court
Federal Building
844 King Street
Wilmington, DE 19801

RE: *Pullen Seeds and Soil v. Monsanto Company,*
D.Del. C.A. No. 06-599 SLR
Wade Farms, et al., v. Monsanto Company,
D.Del. C.A. No. 06-600 SLR

Dear Judge Robinson:

Thank you for the additional several days to respond.

In response to Your Honor's inquiry of plaintiffs' counsel concerning possible outcomes on defendant Monsanto's motion based on the forum selection clause, if the Court were to grant the motion the plaintiffs would prefer dismissal without prejudice rather than transfer under 28 U.S.C. §1404. (The matter of specifying "without prejudice" is important to us in these circumstances, since defendant styled its motion as being under FRCP 12(b)(6), rather than FRCP 12(b)(3), and we want to avoid any implication of a merits determination which might prejudice an ability to re-file.)

Respectfully yours,



Jeffrey S. Goddess (Del. Bar No. 630)

JSG/cmw

cc: Richard L. Horwitz, Esquire (Via e-filing)
David E. Moore, Esquire (Via e-filing)
Clerk, U.S. District Court (Via e-filing)